

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ANTHONY RIGGINS,

Case No. 1:01-CV-503

Plaintiff,

Vs.

JUDGE DLOTT

FORREST HUNT, III, et al.,

Defendants.

**DEFENDANTS'
SUPPLEMENTAL RESPONSE
TO PLAINTIFF'S MOTION FOR
SANCTIONS**

Now comes counsel for defendants to respectfully submit a supplemental response to plaintiff's motion for sanctions. Attached is a letter recently received by counsel from Robert E. Scott, SFC, OHARNG, Company Operations, NCO, which explains the status of defendant Hunt's duties during the applicable time period.

Counsel states that according to the attached correspondence, defendant Hunt was not available during the time period allotted for trial at the end of March 2003; counsel only conveyed to the Court the information that was conveyed to her by defendant Hunt.

For the foregoing reasons, counsel for defendants respectfully moves this Court to dismiss the plaintiff's motion for sanctions.

Respectfully submitted,

s/ Marie Moraleja Hoover

Marie Moraleja Hoover #0063254
Attorney for Defendants
621 7th Street
Portsmouth, Ohio 45662
(740) 354-1000
Fax: (740) 353-0661

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2004 a copy of the foregoing pleading was filed electronically. Notice of filing will be sent to all parties for whom counsel has entered a notice of appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. I further certify that a copy of the foregoing pleading and the Notice of Electronic Filing has been served by ordinary U.S. mail upon all parties for whom counsel has not yet entered an appearance electronically.

s/ Marie Moraleja Hoover
Marie Moraleja Hoover #0063254
Attorney for Defendants